

ORDINANCE 06-34

AN ORDINANCE OF THE TOWN OF WESTFIELD TO PROHIBIT THE UNAUTHORIZED USE OF WATER SUPPLY OF THE TOWN OF WESTFIELD

WHEREAS, the Town of Westfield, Indiana, hereinafter referred to as "Town", is a duly formed municipal corporation within the State of Indiana, governed by the Town Council, and which operates a water utility for the health and welfare of its citizens and those in the service area, and;

WHEREAS, the Town has the duty, responsibility and authority to establish, monitor, and maintain ordinances for the general welfare and protection of the water supply in its quality and use; and,

WHEREAS, the Town has been advised that unauthorized access to the Westfield water supply has occurred which may impact the pressure and quality of service to the general customer base, and;

WHEREAS, unauthorized access may increase the costs of water to the general customer base; and,

WHEREAS, the Town Council of the Town of Westfield, Indiana, has determined that sanctions for such unauthorized use are necessary and that penalties are an appropriate and proven means of addressing these issues.

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD TOWN COUNCIL THAT:

SECTION I. This Ordinance shall apply to all areas within the corporate boundaries of the Town of Westfield and those customers of the Westfield Public Utilities.

SECTION II. It is hereby unlawful for any person to gain unauthorized access to the Westfield water supply by opening hydrants, installing meters, bypassing meters without appropriate authorization of the Superintendent of the Westfield Public Utilities or his designee.

SECTION III. Any person who violates this Ordinance shall be subject to the penalties of not less than One-Thousand (\$1,000.00) Dollars and no more than Five-Thousand (\$5,000.00) per occurrence, as well as attorney fees and all other costs of collection necessary to enforce this Ordinance.

SECTION IV. This Ordinance shall allow the Superintendent of the Westfield Public Utilities to remove any unauthorized device used to access the Westfield water supply and to refuse service to any customer whose property has benefited from such unauthorized access.

SECTION V. This Ordinance shall not prohibit the emergency use of the water supply by Public Safety personnel.

SECTION VI. This Ordinance shall be effective two weeks after passage and publication pursuant to Indiana law.


SECTION VII. Any Ordinances in conflict with this Ordinance shall be deemed repealed. Any portion of this Ordinance found to be void or repealed at a later time shall not operate to negate those portions not found to be void or repealed.

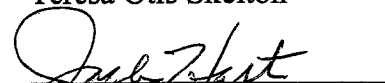
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ADOPTED AND PASSED THIS 14 DAY OF Aug, 2006, BY THE
WESTFIELD TOWN COUNCIL, HAMILTON COUNTY, INDIANA.

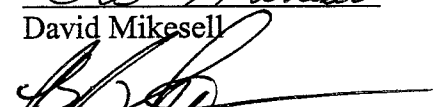
WESTFIELD TOWN COUNCIL
Hamilton County, Indiana


Voting For


Teresa Otis Skelton


Jack Hart


David Mikesell


Bob Smith


Ron Thomas

Voting Against

Teresa Otis Skelton

Jack Hart

David Mikesell

Bob Smith

Ron Thomas

Abstain

Teresa Otis Skelton


Jack Hart

David Mikesell

Bob Smith

Ron Thomas

ATTEST:


Clerk-Treasurer, Cindy Gossard

This instrument prepared by: Brian J. Zaiger, Attorney at Law
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Carmel, IN 46032
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"I affirm, under the penalties for perjury, that I have
taken reasonable care to redact each Social Security
number in this document, unless required by law."

(name)

